



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION
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Gregory A. Whirley
Commissioner

December 3, 2010

Office of the Secretary
Federal Communications Commission
445 12th St., SW, Room TWA325,
Washington, DC 20554

RE: Comments on the Technical and Operational Feasibility of Enabling Flexible Use of the
700 MHz Public Safety Narrowband Allocation and Guard Band for Broadband Services
PS Docket No. 06-229

Dear Sir or Madam:

This letter is in response to the Federal Communications Commission's (FCC) Public Notice requesting comments on the Technical and Operational Feasibility of Enabling Flexible Use of the 700 MHz Public Safety Narrowband Allocation and Guard Band for Broadband Services (PS Docket No. 06-229). The Virginia Department of Transportation (VDOT) respectfully submits the following general comments, as well as responses to the questions presented by FCC.

Overall, VDOT is concerned with the proposed redesignation of the 700 MHz narrowband (voice) channels to allow broadband use. Comingling of broadband technology and modes within a band of frequencies designated and already in use for narrowband will likely cause interference to existing emergency response radio systems. VDOT respectfully suggests that the creation of a robust public safety broadband spectrum by pairing the additional unsold 10 MHz "D Block" with 10 MHz of adjacent public safety spectrum already designated for broadband provides a more feasible alternative to the proposed redesignation.

What is the current and anticipated use of 700 MHz narrowband networks?

VDOT's current use of 700 MHz narrowband networks includes portable and vehicle repeater components of the Virginia State Agencies Radio System in every part of the state.

Would the flexibility to offer broadband services in all or a portion of the 700 MHz narrowband spectrum and/or the guard band promote more efficient use of 700 MHz public safety spectrum? Are there efficiency gains that could be realized by enabling this flexibility? For example, could the use of the narrowband spectrum help satisfy needs for increased broadband capacity? Or could broadband spectrum help satisfy the needs for narrowband capacity over time? What would need to happen for this to occur?

From the VDOT perspective, any efficiency gains achieved through greater flexibility within the broadband spectrum would be offset by the interference risks to existing response systems. There is no known evidence that would suggest these risks could be mitigated sufficiently to safeguard the progress in establishing reliable and interoperable channel assignments by state and regional committees over recent years.

If the Commission were to allow flexible use of 700 MHz narrowband spectrum and/or the guard band, would broadband operations in this spectrum potentially interfere with existing or future public safety narrowband operations? We specifically seek technical information on the likely extent of such interference scenarios. What steps could be taken to mitigate such potential harm?

Comingling of broadband technology and modes within a band of frequencies designated and already in use for narrowband will likely cause interference to existing emergency response radio systems. State and regional planning committees have worked over a number of years to establish well organized and coordinated channel usage. This cooperation and coordination could be jeopardized by the FCC's proposal, as broadband encroachment may disrupt already established channel assignments and create interference.

What impact would allowing flexible use of all or a portion of narrowband spectrum have on the continued ability to support nationwide narrowband interoperability?

Allowing broadband to overlay and dislodge the 700 MHz narrowband channels may likely negate the intense work that created the designated nationwide interoperability channels. This was one of the main selling points during the creation of the public safety portion of the 700 MHz band. Broadband overlaid on narrowband channels will disrupt the nationwide standardization that was diligently sought and created.

How much, if any, of the narrowband allocation and guard band should be made available for broadband operations? Should some portion of this spectrum (e.g., the upper portion of the band furthest from the existing public safety broadband spectrum) continue to be reserved exclusively for narrowband operations?

No portion of long standing narrowband channels should be made available for broadband use. The 10 MHz of Block D sits adjacent to the public safety broadband channels and that spectrum is needed to create a robust, standardized and national public safety broadband network.

If flexibility in the narrowband spectrum were allowed, what role should the 700 MHz RPCs and the states play in its implementation?

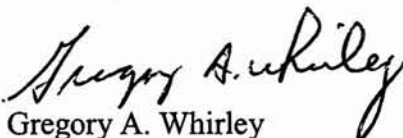
The primary purpose of cooperation among states and RPCs was to establish well coordinated and standardized implementation of the 700 MHz band. Any process that circumvents the RPCs or minimizes their role would create the same channel interference experienced in the lower bands.

What would be the impact of allowing flexibility on the development of broadband, narrowband, and dual-use equipment in the 700 MHz public safety spectrum? If the Commission were to permit flexible use of the narrowband spectrum, what if any impact should this have on the existing rules that require 700 MHz narrowband systems to narrowband to 6.25 kHz bandwidth channels by December 31, 2016? Should the Commission reconsider this requirement? Would public safety resources be better spent transitioning 700 MHz narrowband operations onto a broadband platform?

As mentioned earlier, the principal concern of the Department is the risk of decreased interoperability posed by potential interference of comingled technologies and modes. A holistic review of the 700 MHz public spectrum should also include consideration of pairing the additional unsold 10 MHz "D Block" with 10 MHz of adjacent public safety spectrum already designated for broadband.

VDOT appreciates the opportunity comment on the proposed redesignation. If you have any questions, you may to contact Bill Brown, Radio Manager, at 804-692-2520.

Sincerely,


Gregory A. Whirley